



आरत का राजपत्र

The Gazette of India

प्रसाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० १९६]

नई विल्ही, मंगलवार, जून ४, १९६८/ज्याईष्ठ १४, १८९०

No. 196]

NEW DELHI, TUESDAY, JUNE 4, 1968/ JYAISTHA 14, 1890

इस भाग में निम्न पृष्ठ संख्या की जाती है जिससे कि यह अलग सफलतम के रूप में रख जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION
(Department of Labour and Employment)

ORDER

New Delhi, the 3rd June 1968

S.O. 1956.—Whereas an industrial dispute exists between employers in relation to Banki Colliery of Messrs National Coal Development Corporation Limited, Post Office Banki Mogra, District Bilaspur (Madhya Pradesh) and their workman Shri R.K. Jain over termination of his services.

And Whereas the said employers and the workman have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to arbitration by the person specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government,

Now therefore, in pursuance of the provision of sub section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement, which was received by it on the 7th May, 1968.

Agreement

(Under Section 10A of the Industrial Disputes Act, 1947).

BETWEEN

Names of the Parties:

Representing Employers.—Shri S. P. Mathur, Dy. Suptd., of Collieries Banki Colliery of M/s. N.C.D.C. Ltd., P.O. Banki Mogra (Distt. Bilaspur) MP.

Representing Workman.—Shri R. K. Jain S/o Shri Pyarelal Jain, P.O. Rahatgarh (Distt. Saugar) M.P.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri P. C. Rai, Regional Labour Commissioner (Central), Jabalpur.

(i) *Specific matters in disputes*

- (I) Whether Shri R. K. Jain, General Mazdoor (Category I) performed duties of a Clerk or a Semi-Clerk or of a General Mazdoor during the period of his employment in Banki Colliery of Messrs National Coal Development Corporation Limited from 18th January, 1967 to 10th July, 1967? In either case to what relief is he entitled?
- (II) In the light of above, whether Shri R. K. Jain was governed by National Coal Development Corporation Rules or by Colliery's Certified Standing orders and whether the act of termination of services of Shri R. K. Jain by the management with effect from 11th July, 1967 was legal and justified? If not, to what relief is he entitled?

(ii) *Details of the parties to the dispute including the name and address of the establishment or undertaking involved.*—Employers in relation to the Banki Colliery of M/s. National Coal Development Corporation Limited, P.O. Banki Mogra (Distt. Bilaspur) M.P. and their workman, Shri R. K. Jain, General Mazdoor (Category I).

(iii) *Name of the union, if any, representing the workman in question.*—None.

(iv) *Total number of workmen employed in the undertaking affected.*—1250.

Estimated number of workmen affected or likely to be affected by the dispute.—1.

We further agree that the decision of the Arbitrator shall be binding on us.

The arbitrator shall make his award within a period of 3 months or within such further time as is extended by the mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Representing Employers:

Sd/- S. P. MATHUR,

Witnesses.

1. Sd/- P. S. RAO.

2. Sd/- A. MOHAN, RAO,

Representing Workman:

Sd/- R. K. JAIN,

Sd/- A. S. GUPTA,
Assistant Labour Commissioner (C)
Bilaspur (M.P.).

Bilaspur, dated the 17th April, 1968.

[No. 5/58-A/67-LRII.]

BALWANT SINGH, Under Secy.